

Appl. No. 10/759,954

### REMARKS

Claims 1-3 and 5-15 remain in this application. Claims 1-3 and 5-10 stand rejected. Claims 11-15 are allowed. Claims 1-3 and 5-10 are cancelled by this amendment. Claim 21 has been added by this amendment. The Applicant submits the following remarks and hereby requests a timely notice of allowance.

#### A. Cancelled Claims

By advisory action dated September 25, 2006, the Examiner has indicated that Applicant's amendment of September 11, 2006 has failed to place the instant application in condition for allowance. More specifically, the Examiner has indicated that claims 1-3 and 5-10 stand rejected while claims 11-15 are allowable. To place the instant application in condition for allowance, the Applicant respectfully requests that claims 1-3 and 5-10 be canceled. Allowed claims 11-15 remain in the application.

#### B. Allowable Subject Matter

The Applicant would like to thank the Examiner for indicating the allowance of Claims 11 – 15. Further, the Applicant has amended the remaining Claims to include new Claim 21. Applicant submits that new Claim 21 is also in condition for allowance.

New Claim 21, which depends from allowed Claim 15, reads as follows:

[t]he method of Claim 15 wherein the temperature of the surface of the part during the first burnishing operation is of a first temperature and the temperature of the surface of the part during the second burnishing operation is of a second different temperature.

Aside from dependency, new Claim 21 is, identical to allowed Claim 13. Therefore, new Claim 21 does not raise the issue of new matter nor should new Claim 21 require further consideration or search. Further, new Claim 21 depends from allowed Claim 15. Any

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claim that depends from an allowed claim should also be allowed. *See Ex Parte Ligh*, 159 USPQ 61, 62 (Bd. of Pat. App. & Inter. 1967). Therefore, the Applicant respectfully requests that the Examiner allow the entry of new Claim 21 and submits that new Claim 21 is in proper condition for allowance.

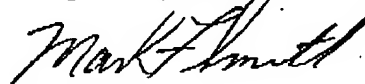
The Applicant respectfully submits that each of the claims presently pending in the instant application is in proper condition for allowance and requests that the Examiner pass the application to allowance.

#### C. Conclusion

In view of the foregoing Remarks and Amendments, it is believed that all the stated grounds of rejection have been properly traversed or otherwise overcome. Therefore, Applicant respectfully submits that the present application is in condition for allowance and requests that a timely Notice of Allowance be issued in this case.

October 9, 2006

Respectfully submitted,



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